UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/595,001	05/17/2007	Hans Ahlback	P18298-US1	1048

27045   7590   06/10/2010

ERICSSON INC.
6300 LEGACY DRIVE
M/S EVR 1-C-11
PLANO, TX 75024

EXAMINER
ZELASKIEWICZ, CHRYSTINA E

ART UNIT	PAPER NUMBER
3621	

NOTIFICATION DATE	DELIVERY MODE
06/10/2010	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

kara.coffman@ericsson.com
jennifer.hardin@ericsson.com
melissa.rhea@ericsson.com

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *17 May 2007*.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-14* is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) *1-14* is/are rejected.
7)☒ Claim(s) *3,8,14* is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All   b)☐ Some * c)☐ None of:
        1.☐ Certified copies of the priority documents have been received.
        2.☐ Certified copies of the priority documents have been received in Application No. _____.
        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date *December 5, 2005*.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5)☐ Notice of Informal Patent Application
6)☐ Other: _____ .

DETAILED ACTION

Acknowledgements

1.   This action is in reply to the application filed on May 17, 2007.

2.   Claims 1-14 are pending.

3.   Claims 1-14 have been examined.

4.   This Office Action is given Paper No. 20100604 for references purposes only.

Information Disclosure Statement

5.   The Information Disclosure Statement filed on December 5, 2005 has been

considered. An initialed copy of the Form 1449 is enclosed herewith.

Specification

6.   The specification is objected to as failing to provide proper antecedent basis for

the claimed subject matter. See 37 C.F.R. §1.75(d)(1), MPEP §608.01(o), and MPEP

§2181 IV and its discussion of 37 C.F.R. §1.75(d)(1). Appropriate correction of the

following is required:

      a.   "means for receiving from a subscriber an accounting certificate request"

in claim 14;

      b.   "means for sending an authorisation request from said node to an online

charging system of the subscriber's home network" in claim 14;

      c.   "means for receiving an accept or deny request from said online charging

function" in claim 14; and

d.   "means for sending the requested accounting certificate to the subscriber terminal in the event that an accept service request message is received by the node" in claim 14.

Claim Objections

7.   Claim 3 is objected to because it states "according to claim 1, said." Examiner will assume Applicant intended to state "according to claim 1, *wherein* said." Appropriate correction is required.

8.   Claim 8 is objected to because it states "and/or". For purposes of applying the prior art, Examiner will interpret as "or." Appropriate correction is required.

9.   Claim 14 is objected to because it states "charges for subscribers. of a home network." Examiner will assume Applicant intended to state "charges for subscribers of a home network." Appropriate correction is required.

Claim Rejections - 35 USC § 101

10.   35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

11. Claims 1-14 are rejected under 35 U.S.C. §101 because the claimed invention is directed to non-statutory subject matter.

12. Regarding claims 1-13, based on Supreme Court precedent[1] and recent Federal Circuit decisions, a § 101 patent eligible process must (1) be tied to a particular machine (or apparatus); or (2) transform a particular article to a different state or thing. See *In re Bilski*, 545 F.3d 943, 88 USPQ2d 1385 (Fed. Cir. 2008) (en banc). This is called the Machine-or-Transformation Test.

    e. To meet prong (1), the method steps should positively recite the machine to which it is tied. Alternatively, or to meet prong (2), the method steps should positively recite the material that is being changed to a different state, or positively recite the subject matter that is being transformed. For example, a method claim that would *not* qualify as a patent eligible process because it fails both prongs of the Machine-or-Transformation Test would be a claim that recites purely mental steps.

    f. In this particular case, the process claims fail prong (1) because the method steps of sending and making are not tied to a specific machine since the method step could be performed by a human being. Finally, Examiner notes that the claims fail prong (2) because the method steps do not transform the underlying subject matter to a different state or thing.

    g. To overcome said rejection, Applicant might consider amending the claim (assuming support exists in the specification for said amendment) to state

"sending a request for an accounting certificate from a subscriber's mobile

terminal *computer* to a certificate issuing node."

13.   Regarding claim 14, under the broadest reasonable interpretation, this claim is

directed to a signal per se. Because signal claims are not in any statutory category,

Applicant's signal claim are considered non-statutory subject matter. *In re Nuijten*, 500

F3d 1346, 84 USPQ2d 1485 (Fed. Cir. 2007)[2]. For additional guidance, see also

USPTO Director Kappos, D. J. <u>Subject Matter Eligibility of Computer Readable Media</u>

available   at   http://www.uspto.gov/patents/law/notices/101_crm_20100127.pdf[3]   noting

that "[w]hen the broadest reasonable interpretation of a claim covers a signal per se, the

claim must be rejected under 35 U.S.C. § 101 as covering non-statutory subject

matter.").

Claim Rejections - 35 USC § 112, 2nd paragraph

14.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out
> and distinctly claiming the subject matter which the applicant regards as his
> invention.

---

[1] *Diamond v. Diehr*, 450 U.S. 175, 184 (1981); *Parker v. Flook*, 437 U.S. 584, 588 n.9 (1978); *Gottschalk v. Benson*, 409 U.S. 63, 70 (1972); *Cochrane v. Deener*, 94 U.S. 780, 787-88 (1876).

[2] See also *In re Nuijten*, 515 F3d 1361, 85 USPQ2d 1927 (Fed. Cir. 2008)(petition for panel rehearing and petition for rehearing en banc denied).

[3] See MPEP §707.06 "Citation of Decisions, Orders Memorandums, and Notices" expressly authorizing the Examiner to cite to Commissioner's Memorandums which have not yet been incorporated into the MPEP.

15. Claims 1-14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

16. Claim 1 states "at the online charging system, making a decision on said request based upon the subscriber's account data, and returning either an accept or deny service request message to said node." This phrase is vague and indefinite because it is unclear which request Applicant is referring to: the request for an accounting certificate; or the authorisation request. For purposes of applying the prior art only, Examiner will assume the authorisation request.

17. Claim 2 recites the limitation "the home network." There is insufficient antecedent basis for this limitation in this claim. For purposes of applying the prior art only, Examiner will interpret the phrase as "a home network."

18. Claim 3 recites the limitation "the access network." There is insufficient antecedent basis for this limitation in this claim. For purposes of applying the prior art only, Examiner will interpret the phrase as "an access network."

19. Claim 7 states "portal preferably obtains the shared secret." This phrase is vague and indefinite because it is unclear whether the portal obtains the shared secret. For purposes of applying the prior art only, Examiner will interpret the phrase as "portal obtains the shared secret."

20. Claim 8 states "authorization to issue accounting certificates in principle." This phrase is vague and indefinite because it is unclear whether the accounting certificates

are issued or not. For purposes of applying the prior art only, Examiner will interpret the phrase as "authorization to issue accounting certificates."

21. Claim 10 recites the limitation "the service provider." There is insufficient antecedent basis for this limitation in this claim. For purposes of applying the prior art only, Examiner will interpret the phrase as "the provider of a product or service to be paid for."

22. Regarding claim 14, the following claim elements are means (or step) plus function limitations that invoke 35 U.S.C. 112, sixth paragraph:

h. "means for receiving from a subscriber an accounting certificate request" in claim 14;

i. "means for sending an authorisation request from said node to an online charging system of the subscriber's home network" in claim 14;

j. "means for receiving an accept or deny request from said online charging function" in claim 14; and

k. "means for sending the requested accounting certificate to the subscriber terminal in the event that an accept service request message is received by the node" in claim 14.

23. However, the written description fails to clearly link or associate the disclosed structure, material, or acts to the claimed function such that one of ordinary skill in the art would recognize what structure, material, or acts perform the claimed function. Specifically, the specification fails to clearly link and associate *any* of the "means for" limitations in claim 14 to any structure.

24.   Applicant is required to:

     I.   Amend the claim so that the claim limitation will no longer be a means (or step) plus function limitation under 35 U.S.C. 112, sixth paragraph; or

     m.   Amend the written description of the specification such that it clearly links or associates the corresponding structure, material, or acts to the claimed function without introducing any new matter (35 U.S.C. 132(a)).

25.   Examiner finds that because the claims are indefinite under 35 U.S.C. §112, 2nd paragraph, it is impossible to properly construe claim scope at this time. However, in accordance with MPEP §2173.06 and the USPTO's policy of trying to advance prosecution by providing art rejections even though these claims are indefinite, the claims are construed and the prior art is applied as much as practically possible.

Claim Rejections - 35 USC § 103

26.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

27.   Claims 1-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nevoux et al. (US 5,412,726) in view of Puhl et al.(US 6,223,291).

Claims 1, 14

28.   Nevoux discloses the following limitations:

n.   sending a request (request, see C7 L45-55) for an accounting certificate (remote loading of n value units, see C7 L45-55) from a subscriber's mobile terminal (autonomous set PA, see C4 L29-67, figure 1) to a certificate issuing node (subscriber access system SAA, see C4 L29-67, figure 1);

o.   upon receipt of the request (request, see C7 L45-55) at said node, sending an authorisation request (credit authorization request, see C7 L65 – C8 L2) from said node to an online charging system (authorization center CA, see C7 L65 – C8 L2, figure 1) of the subscriber's home network;

p.   at the online charging system (authorization center CA, see C7 L65 – C8 L2, figure 1), making a decision on said request (credit authorization request, see C7 L65 – C8 L2) based upon the subscriber's account data (authentication of the set PA, see C8 L29-37), and returning either an accept or deny service request message (remote loading passkey, see C8 L29 – C9 L45) to said node;

q.   in the event that an accept service request message (remote loading passkey, see C8 L29 – C9 L67) is received by said node, sending the requested accounting certificate (amount to be remotely loaded C1, see C9 L45 – C10 L11) to the subscriber terminal.

29.   Nevoux does not disclose the following limitations:

r.   sending the accounting certificate from the subscriber terminal to the provider of a product or service to be paid for.

30.   Puhl discloses the following limitations:

    s.   sending the accounting certificate (certificate, see figure 5) from the

    subscriber terminal (client, see figure 5) to the provider of a product or service to

    be paid for (AA, see figure 5).

31.   It would have been obvious to one of ordinary skill in the art at the time of the

invention to combine Nevoux with Puhl because 1) a need exists for a

telecommunication installation capable of ensuring confidentiality and integrity of a

remote loading order and its amount, even when the subscriber is in a roaming region

(Nevous C2 L21-57); and 2) a need exists for secure electronic commerce (Puhl C1

L18-45). Sending the certificate to the provider of the product or service ensures the

provider is paid (Puhl see figure 5).

Claim 2

32.   Nevoux in view of Puhl discloses all the limitations above. Furthermore, Nevoux

discloses the following limitations:

    t.   said online charging system (authorization center CA, see C7 L65 – C8

    L2, figure 1) to which said authorisation request (credit authorization request, see

    C7 L65 – C8 L2) is sent is responsible for coordinating all charges (remote

    loading, see C7 L23-37) made against subscribers of the home network.

Claim 3

33.   Nevoux in view of Puhl discloses all the limitations above. Furthermore, Nevoux

discloses the following limitations:

    u.   said certificate issuing node (subscriber access system SAA, see C4 L29-67, figure 1) being owned by the operator of the access network (network, see C4 L53-57) used by the subscriber terminal (autonomous set PA, see C4 L29-67, figure 1).

Claim 4

34.   Nevoux in view of Puhl discloses all the limitations above. Furthermore, Nevoux discloses the following limitations:

    v.   the access network (network, see C4 L53-57) is provided by the operator of the subscriber's home network, or by a visited network (roaming region, see C2 L52-57).

Claim 5

35.   Nevoux in view of Puhl discloses all the limitations above. Furthermore, Nevoux discloses the following limitations:

    w.   said certificate issuing node (subscriber access system SAA, see C4 L29-67, figure 1) comprises a Public Key Infrastructure portal, which uses shared secret keys (secret passkey, see C5 L25 – C6 L55) to communicate with a subscriber terminal.

Claim 6

36.   Nevoux in view of Puhl discloses all the limitations above. Furthermore, Nevoux

discloses the following limitations:

x.   the Public Key Infrastructure portal communicates with a Bootstrapping

Server Function of the subscriber's home network to obtain a shared secret

(secret passkey, see C5 L25 – C6 L55) previously agreed between the

Bootstrapping Server Function and the subscriber terminal.

Claim 7

37.   Nevoux in view of Puhl discloses all the limitations above. Furthermore, Nevoux

discloses the following limitations:

y.   the Public Key Infrastructure portal preferably obtains the shared secret

(secret passkey, see C5 L25 – C6 L55) after receiving a request (request, see

C7 L7-55) for an accounting certificate (remote loading of n value units, see C7

L45-55) from the subscriber terminal.

Claim 8

38.   Nevoux in view of Puhl discloses all the limitations above. Furthermore, Nevoux

discloses the following limitations:

z.   the Public Key Infrastructure portal communicates with the subscriber's

home network to obtain the identity of the responsible online charging system

(authorization center CA, see C7 L65 – C8 L2, figure 1) prior to sending said

authorisation request (request, see C6 L64 – C7 L55), and/or for authorisation to issue accounting certificates in principle.

Claim 9

39.   Nevoux in view of Puhl discloses all the limitations above. Furthermore, Puhl discloses the following limitations:

   aa.   the provider of a product or service to be paid for, sends received accounting certificates to said certificate issuing node for settlement (bills customer, see figure 5).

40.   It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Nevoux with Puhl because 1) a need exists for a telecommunication installation capable of ensuring confidentiality and integrity of a remote loading order and its amount, even when the subscriber is in a roaming region (Nevous C2 L21-57); and 2) a need exists for secure electronic commerce (Puhl C1 L18-45). Sending the certificate for settlement ensures the provider is paid (Puhl see figure 5, C14 L63 – C15 L20).

Claim 10

41.   Nevoux in view of Puhl discloses all the limitations above. Furthermore, Puhl discloses the following limitations:

bb.   the online charging system reports previously reserved credit (credit/voucher, see C14 L63 – C15 L20) as used and withdrawn, when a service has been delivered and a signed invoice received from the service provider.

42.   It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Nevoux with Puhl because 1) a need exists for a telecommunication installation capable of ensuring confidentiality and integrity of a remote loading order and its amount, even when the subscriber is in a roaming region (Nevous C2 L21-57); and 2) a need exists for secure electronic commerce (Puhl C1 L18-45). Reporting previous credit as used and withdrawn ensures the provider is paid (Puhl see figure 5, C14 L63 – C15 L20).

Claim 11

43.   Nevoux in view of Puhl discloses all the limitations above. Furthermore, Puhl discloses the following limitations:

cc.   the provider of a product or service sends an invoice (charge for service, see C14 L63 – C15 L20) to the subscriber terminal for products or services which the subscriber proposes to purchase and, after receipt of this invoice, the subscriber terminal sends the request for the accounting certificate to the certificate issuing node.

44.   It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Nevoux with Puhl because 1) a need exists for a telecommunication installation capable of ensuring confidentiality and integrity of a

remote loading order and its amount, even when the subscriber is in a roaming region (Nevous C2 L21-57); and 2) a need exists for secure electronic commerce (Puhl C1 L18-45). Sending an invoice, then a request, ensures the provider is paid (Puhl see figure 5, C14 L63 – C15 L20).

Claim 12

45. Nevoux in view of Puhl discloses all the limitations above. Furthermore, Nevoux discloses the following limitations:

> dd. the request (request, see C7 L7-55) for an accounting certificate (remote loading of n value units, see C7 L45-55) is sent prior to receipt of the invoice (reach or exceed threshold, see C7 L15-20) at the terminal.

Claim 13

46. Nevoux in view of Puhl discloses all the limitations above. Furthermore, Puhl discloses the following limitations:

> ee. said accounting certificate is secured by bootstrapping (bootstrap, see C17 L43-56) on an authentication and shared secret agreement procedure performed between the mobile terminal and the subscriber's home network.

47. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Nevoux with Puhl because 1) a need exists for a telecommunication installation capable of ensuring confidentiality and integrity of a remote loading order and its amount, even when the subscriber is in a roaming region

(Nevous C2 L21-57); and 2) a need exists for secure electronic commerce (Puhl C1 L18-45). Bootstrapping ensures proper provisioning of the client (see Puhl C17 L43-56).

Claim Interpretation

48.   After careful review of the original specification and unless expressly noted otherwise by Examiner, Examiner concludes that Applicant is not his own lexicographer. See MPEP § 2111.01 IV.

49.   Examiner hereby adopts the following definitions under the broadest reasonable interpretation standard. In accordance with *In re Morris,* 127 F.3d 1048, 1056, 44 USPQ2d 1023, 1029 (Fed. Cir. 1997), Examiner points to these other sources to support her interpretation of the claims.[4] Additionally, these definitions are only a guide to claim terminology since claim terms must be interpreted in context of the surrounding claim language. Finally, the following list is not intended to be exhaustive in any way:

>   ff.   ***element*** "n. 1. Any stand-alone item within a broader context. For example, a data element is an item of data with the characteristics or properties of a larger set." <u>Computer Dictionary</u>, 5th Edition, Microsoft Press, Redmond, WA, 2002;

---

[4] While most definitions are cited because these terms are found in the claims, Examiner may have provided additional definition(s) to help interpret words, phrases, or concepts found in the definitions themselves or in the prior art.

gg.   ***network*** "(3) (A) (software) An interconnected or interrelated group of nodes." IEEE 100 The Authoritative Dictionary of IEEE Standards Terms, 7th Edition, IEEE, Inc., New York, NY, Dec. 2000;

hh.   ***node*** "n. 1. A junction of some type." Computer Dictionary, 5th Edition, Microsoft Press, Redmond, WA, 2002;

ii.   ***system*** "n. Any collection of component elements that work together to perform a task. Examples are a hardware system consisting of a microprocessor, its allied chips and circuitry, input and output devices, and peripheral devices; an operating system consisting of a set of programs and data files; or a database management system used to process specific kinds of information." Computer Dictionary, 5th Edition, Microsoft Press, Redmond, WA, 2002; and

jj.   ***terminal*** "(4) (networks) A point at which any element may be directly connected to one or more other elements." IEEE 100 The Authoritative Dictionary of IEEE Standards Terms, 7th Edition, IEEE, Inc., New York, NY, Dec. 2000.

50.   For compact prosecution purposes and should Applicant overcome the prior art rejections noted above, Applicant is reminded that optional or conditional elements do not narrow the claims because they can always be omitted. See *e.g.* MPEP §2106 II *C.*: "Language that suggests or makes optional but does not require steps to be performed or does not limit a claim to a particular structure does not limit the scope of a claim or claim limitation. [Emphasis in original.]"; and *In re Johnston*, 435 F.3d 1381, 77 USPQ2d 1788, 1790 (Fed. Cir. 2006) ("As a matter of linguistic precision, optional elements do not narrow the claim because they can always be omitted.").

kk.   For example, claim 1 states "*in the event* that an accept service request

message is received."

Conclusion

51.   Applicant is respectfully reminded that any suggestions or examples of claim

language provided by Examiner are just that—suggestions or examples—and do not

constitute a formal requirement mandated by Examiner.   To be especially clear, any

suggestion or example provided in this Office Action (or in any future office action) does

not constitute a formal requirement mandated by Examiner.

ll.   Should Applicant decide to amend the claims, Applicant is also reminded

that—like always—no new matter is allowed.   Examiner therefore leaves it up to

Applicant to choose the precise claim language of the amendment in order to

ensure that the amended language complies with 35 U.S.C. § 112 1st

paragraph.

mm.   Independent of the requirements under 35 U.S.C. § 112 1st paragraph,

Applicant is also respectfully reminded that when amending a particular claim, all

claim terms must have clear support or antecedent basis in the specification.

See 37 C.F.R. § 1.75(d)(1) and MPEP § 608.01(o).   Should Applicant amend the

claims such that the claim language *no longer* has clear support or antecedent

basis in the specification, an objection to the specification may result.   Therefore,

in these situations where the amended claim language does not have clear

support or antecedent basis in the specification and to prevent a subsequent

'Objection to the Specification' in the next office action, Applicant is encouraged to either (1) re-evaluate the amendment and change the claim language so the claims *do* have clear support or antecedent basis or, (2) amend the specification to ensure that the claim language does have clear support or antecedent basis. See again MPEP § 608.01(o) (¶3). Should Applicant choose to amend the specification, Applicant is reminded that—like always—no new matter in the specification is allowed. See 35 U.S.C. § 132(a). If Applicant has any questions on this matter, Applicant is encouraged to contact Examiner via the telephone number listed below.

52. Any inquiry of a general nature or relating to the status of this application or concerning this communication or earlier communications from Examiner should be directed to Chrystina Zelaskiewicz whose telephone number is 571.270.3940. Examiner can normally be reached on Monday-Friday, 9:30am-5:00pm. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, Andrew Fischer can be reached at 571.272.6779.

53. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://portal.uspto.gov/external/portal/pair <http://pair-direct.uspto.gov>. Should you

have questions on access to the Private PAIR system, contact the Electronic Business

Center (EBC) at 866.217.9197 (toll-free).

/Chrystina Zelaskiewicz/
Examiner, Art Unit 3621
June 4, 2010

/ANDREW J. FISCHER/
Supervisory Patent Examiner, Art Unit 3621